

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:20-CV-00232-GCM**

**GLOBAL IMPACT MINISTRIES,
DAVID BENHAM,
CITIES4LIFE, INC.,**

Plaintiffs,

v.

**MECKLENBURG COUNTY,
CITY OF CHARLOTTE,**

Defendants.

ORDER

THIS MATTER comes before the Court on its own motion. It appears to the Court that certain claims raised by the Plaintiffs may be moot. The Court requests additional briefing in order to ascertain whether that is the case. Specifically, the briefing should address:

1. Whether the expiration and replacement of the Proclamation at issue in this case mooted Plaintiffs' claims for declaratory relief; and
2. Whether Plaintiffs' arguments related to facial unconstitutionality are also mooted by the potential nonavailability of declaratory relief.

See Chapin Furniture Outlet, Inc. v. Town of Chapin, 252 F. App'x 566, 570 (4th Cir. 2007); *Hunt v. City of Los Angeles*, 638 F.3d 703, 710 (9th Cir. 2011); *McLean v. City of Alexandria*, 106 F. Supp. 3d 736, 738 (E.D. Va. 2015); *Rock for Life – UMBC v. Hrabowski*, 411 F. App'x 541, 550–51 (4th Cir. 2010) (per curiam); *Diffenderfer v. Central Baptist Church, Inc.*, 404 U.S. 412, 414–15 (1972) (per curiam).

Supplemental briefing should be submitted as letter memoranda. In no event should the supplemental briefs exceed five (5) single-spaced pages. Although the Court does not require

replies from the parties, a reply may be made within seven (7) days of the opposing party's filing. Replies should not exceed three (3) single-spaced pages.

IT IS THEREFORE ORDERED that the parties should submit letter memoranda on these topics, not to exceed five (5) single-spaced pages, up to and including January 21, 2022. A reply may be made within seven (7) days of the other party's filing.

SO ORDERED.

Signed: December 22, 2021

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

